

Message Text

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ACTION VO-05

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FM AMEMBASSY LAGOS
TO SECSTATE WASHDC 9963

C O N F I D E N T I A L LAGOS 9877

E.O. 11652: GDS
TAGS: CVIS EGEN NI
SUBJECT: NIGERIAN ISSUANCE OF NON-IMMIGRANT BUSINESS VISAS

REF: LAGOS 8175

1. AS STATED IN APPENDIX C OF 9 FAM, NON-IMMIGRANT VISA VALIDITY AND FEE SCHEDULE AGREED TO BETWEEN THE UNITED STATES AND NIGERIA PROVIDES FOR THE ISSUANCE OF MULTIPLE B-1 BUSINESS NON-IMMIGRANT VISAS VALID FOR 12 MONTHS. IT HAS LONG BEEN NOTED, HOWEVER, THAT NIGERIAN EMBASSIES AND CONSULATES HAVE ISSUED SINGLE ENTRY THREE MONTH B-1 NON-IMMIGRANT VISAS TO AMERICAN BUSINESSMEN TRAVELING TO NIGERIA.

2. IN EMBASSY NOTE 837 OF NOVEMBER 28, 1977, THE EMBASSY BROUGHT THIS DISCREPANCY TO THE ATTENTION OF THE MINISTRY OF EXTERNAL AFFAIRS AND REQUESTED THAT THE MINISTRY MEET ITS OBLIGATION. IN DISCUSSIONS AT MEA AND IMMIGRATION THE ECONOMIC COUNSELOR AND THE CONSULAR OFFICER REQUESTED COMPLIANCE WITH THE CONDITIONS AGREED TO PREVIOUSLY FOR THE ISSUANCE OF BUSINESS VISAS.

3. ON JUNE 1, 1978, THE EMBASSY RECEIVED A REPLY TO ITS NOTE IN WHICH THE MINISTRY STATED THAT ITS POLICY OF ONE-ENTRY THREE-MONTH VISAS IS CONSIDERED LIBERAL AND WILL NOT BE CHANGED.

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4. THERE ARE THREE POSSIBLE WAYS OF PROCEEDING AT THIS POINT. (1) WE CAN DECIDE TO ACQUIESCE TACITLY IN THE PRESENT SITUATION. AS DESCRIBED IN REFTEL, AMERICAN BUSINESSMEN ARE NOT FINDING IT DIFFICULT TO OBTAIN MULTI-ENTRY VISAS FOR FUTURE TRIPS BACK AND FORTH ONCE THEY HAVE ARRIVED IN NIGERIA. (2) WE COULD GO BACK TO MEA

AND MAKE FURTHER REPRESENTATIONS REGARDING THE NEED TO COMPLY WITH THE BILATERAL AGREEMENT. WE ARE NOT OPTIMISTIC REGARDING OUR PROSPECTS FOR SUCCESS IN THIS REGARD AND WOULD CERTAINLY NEED MORE PRECISE INFORMATION REGARDING THE NATURE OF THE BILATERAL AGREEMENT BEFORE MAKING SUCH A DEMARCHE. IF WE UNDERTAKE NEW REPRESENTATIONS URGING THE RECIPROCAL USE OF ONE-YEAR MULTIPLE VISAS FOR BUSINESSMEN, WE WOULD ALSO TAKE UP AT THAT TIME THE ISSUE OF REMOVING THE VISA FEE REQUIREMENT. IT MIGHT MAKE SENSE TO TACKLE THE ISSUE OF MULTIPLE ENTRY VISAS FOR USG OFFICIALS AT THE SAME TIME. (3) WE COULD INFORM THE NIGERIANS THAT THE USG, IN CONFORMITY WITH THE PRINCIPLE OF RECIPROCITY, WILL NO LONGER AFTER A CERTAIN DATE ISSUE MULTI-ENTRY VISAS IN NIGERIA TO NIGERIAN BUSINESSMEN UNLESS THE FMG BEGINS TO ISSUE MULTI-ENTRY VISAS IN THE US TO AMERICAN BUSINESSMEN BEFORE THAT DATE. WE ARE NOT INCLINED TO CONSIDER THIS THIRD ALTERNATIVE SERIOUSLY FOR THE PRESENT, BUT MIGHT WISH TO DO SO IF WE TRIED THE SECOND ALTERNATIVE AND WERE UNSUCCESSFUL.

T. ACTION REQUESTED: IN WEIGHING THE DESIRABILITY OF PURSUING THE SECOND ALTERNATIVE DESCRIBED ABOVE, THE EMBASSY NEEDS INFORMATION REGARDING THE PRESENT VISA SCHEDULE. HOW AND WHEN WAS THIS NEGOTIATED? IS THERE A FORMAL AGREEMENT OR IS THE SCHEDULE A RESULT OF CONFIDENTIAL

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INFORMAL TALKS BETWEEN THE USG AND THE FMG? THE EMBASSY WOULD ALSO BE INTERESTED IN ANY COMMENTS THE DEPARTMENT MIGHT WISH TO MAKE ON THE ISSUES DESCRIBED ABOVE.
WYMAN

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